BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of
WINSTAR OF HAWAII, LLC
Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked.

DOCKET NO. 04-0256

DECISION AND ORDER NO. 21398

Filed Oct. 6, 2004

At II o'clock A .M.

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WINSTAR OF HAWAII, LLC

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. Docket No. 04-0256

Decision and Order No. 21398

DECISION AND ORDER

The commission issued Order No. 21297 on September 7, 2004 ordering WINSTAR OF HAWAII, LLC ("Respondent") to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 6, 2004 to show cause why Respondent's certificate of authority should not be suspended or revoked for its failure to pay the public utility fee ("Fee") that was due on December 31, 2003, pursuant to Hawaii Revised Statutes § 269-30.

Subsequent to the issuance of Order No. 21297, Respondent paid the Fee that was due on December 31, 2003.

The commission finds that Respondent has fully complied, although belatedly, with the commission's applicable laws, rules, and regulations, and concludes that Order No. 21297, filed on September 7, 2004, should be vacated, and that this docket should be closed.

THE COMMISSION ORDERS that Order No. 21297 is vacated and this docket is closed.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

APPROVED AS TO FORM:

Catherine P. Awakuni Commission Counsel

04-0256.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21398 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

KIMBERLY BRADLEY, SR. DIRECTOR OF REGULATORY AFFAIRS WINSTAR OF HAWAII, LLC 1850 M. Street, NW, Suite 300 Washington, DC 20036

Karen Higash

DATED: OCT 6 2004